

**§ 213. Repealed. July 31, 1946, ch. 707, § 15, 60 Stat. 720**

Section, act May 28, 1896, ch. 252, 29 Stat. 143, related to policing of Capitol buildings and grounds. See section 212a of this title.

**OFFENSES COMMITTED PRIOR TO JULY 31, 1946**

Prosecution of offenses committed prior to repeal of section, see section 15 of act July 31, 1946, set out as a note under section 193h of this title.

**§ 213a. Omitted**

**CODIFICATION**

Section, act July 1, 1946, ch. 530, §106, 60 Stat. 408, which authorized the Capitol Police Board to detail police for duty on the Capitol grounds, was omitted as not repeated in subsequent appropriation acts. See section 212a of this title.

Similar provisions were contained in the following prior appropriation acts:

June 13, 1945, ch. 189, §106, 59 Stat. 259.  
 June 26, 1944, ch. 277, title I, §105, 58 Stat. 354.  
 June 28, 1943, ch. 173, title I, 57 Stat. 230.  
 June 8, 1942, ch. 396, 56 Stat. 340.  
 July 1, 1941, ch. 268, 55 Stat. 456.  
 June 18, 1940, ch. 396, 54 Stat. 471.  
 June 16, 1939, ch. 208, 53 Stat. 831.  
 May 17, 1938, ch. 236, 52 Stat. 390.

**§ 214. Protection of grounds**

It shall be the duty of the Capitol police on and after April 29, 1876, to prevent any portion of the Capitol Grounds and terraces from being used as playgrounds or otherwise, so far as may be necessary to protect the public property, turf and grass from destruction or injury.

(Apr. 29, 1876, ch. 86, 19 Stat. 41.)

**CODIFICATION**

Section is also set out in D.C. Code, §9-107.

**APPLICABILITY OF OTHER LAWS**

Section as unaffected by sections 193a to 193i, 212a, 212a-2, and 212b of this title, see note under section 193a of this title.

**§ 214a. Omitted**

**CODIFICATION**

Section, Pub. L. 89-698, title IV, §401, Oct. 29, 1966, 80 Stat. 1072; 1967 Reorg. Plan No. 3, §401, eff. Aug. 11, 1967, 32 F.R. 11669, 81 Stat. 951; Pub. L. 93-198, title IV, §421, Dec. 24, 1973, 87 Stat. 789, authorized the Architect of the Capitol to permit the Mayor of the District of Columbia to operate for recreational purposes only the land known as Square 732 in the District of Columbia as long as such land is not required for building or other purposes by the Architect. Pub. L. 89-260, Oct. 19, 1965, 79 Stat. 987, as amended, set out as a note under section 141 of Title 2, The Congress, authorized the construction in square 732 of the Library of Congress James Madison Memorial Building. Funds for construction were appropriated and the building was built.

**§ 214b. Designation of Capitol grounds as play area for children of Members and employees of Senate or House of Representatives**

**(a) Authority of Capitol Police Board**

Notwithstanding any other provision of law and subject to the provisions of paragraph (1) of subsection (b) of this section, the Capitol Police Board is authorized to designate certain portions of the Capitol grounds (other than a por-

tion within the area bounded on the North by Constitution Avenue, on the South by Independence Avenue, on the East by First Street, and on the West by First Street) for use exclusively as play areas for the benefit of children attending a day care center which is established for the primary purpose of providing child care for the children of Members and employees of the Senate or the House of Representatives.

**(b) Required approval; fences; termination of authority**

(1) In the case of any such designation referred to in subsection (a) of this section involving a day care center established for the benefit of children of Members and employees of the Senate, the designation shall be with the approval of the Senate Committee on Rules and Administration, and in the case of such a center established for the benefit of children of Members and employees of the House of Representatives, the designation shall be with the approval of the House Committee on House Administration, with the concurrence of the House Office Building Commission.

(2) The Architect of the Capitol shall enclose with a fence any area designated pursuant to subsection (a) of this section as a play area.

(3) The authority to use an area designated pursuant to subsection (a) of this section as a play area may be terminated at any time by the Committee which approved such designation.

**(c) Playground equipment; required approval**

Nothing in this or any other Act shall be construed as prohibiting any day care center referred to in subsection (a) of this section from placing playground equipment within an area designated pursuant to subsection (a) of this section for use solely in connection with the operation of such center, subject to, in the case of a day care center established for the benefit of children of Members and employees of the Senate, the approval of the Senate Committee on Rules and Administration, and in the case of such a center established for the benefit of children of Members and employees of the House of Representatives, the approval of the House Committee on House Administration, with the concurrence of the House Office Building Commission.

**(d) Day care center**

The day care center referred to in S. Res. 269, Ninety-eighth Congress, first session, is a day care center for which space may be designated under subsection (a) of this section for use as a play area.

(Pub. L. 98-392, §3, Aug. 21, 1984, 98 Stat. 1362.)

**REFERENCES IN TEXT**

This Act, referred to in subsec. (c), is Pub. L. 98-392, Aug. 21, 1984, 98 Stat. 1362, which enacted this section and amended section 2107 of Title 20, Education. For complete classification of this Act to the Code, see Tables.

S. Res. 269, Ninety-eighth Congress, first session, referred to in subsec. (d), is dated Nov. 14, 1983, and reads as follows: "Resolved, That payment is authorized from the contingent fund of the Senate in an amount not to exceed \$20,000 for the start-up costs, including the procurement of the services of individual consultants or organizations, for a Senate day care center, which shall be ready for occupancy by January 1, 1984.

“SEC. 2. Payments under this resolution shall be paid from the appropriation account for ‘Miscellaneous Items’ in the contingent fund of the Senate upon vouchers approved by the chairman of the Committee on Rules and Administration.”

“SEC. 3. The Committee on Rules and Administration shall supervise any contract entered into on behalf of the Senate, under authority of this resolution. Such contract shall not be subject to the provisions of section 5 of title 41 of the United States Code or any other provision of law requiring advertising.”

#### CHANGE OF NAME

Committee on House Administration of House of Representatives changed to Committee on House Oversight of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

#### CROSS REFERENCES

House of Representatives Child Care Center, see section 184g of this title.

Senate Employee Child Care Center, see section 214c of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 214c, 214d of this title.

### § 214c. Senate Employee Child Care Center

#### (a) Applicability of provisions

The provisions of this section shall apply to any individual who is employed by the Senate day care center (known as the “Senate Employee Child Care Center” and hereafter in this section referred to as the “Center”) established pursuant to Senate Resolution 269, Ninety-eighth Congress, and section 214b of this title.

#### (b) Employee election of health care insurance coverage

Any individual described under subsection (a) of this section who is employed by the Center on or after August 14, 1991, shall be deemed an employee under section 8901(1) of title 5 for purposes of health insurance coverage under chapter 89 of such title. An individual described under subsection (a) of this section who is an employee of the Center on August 14, 1991, may elect coverage under this subsection during the 31-day period beginning on August 14, 1991, and during such periods as determined by the Office of Personnel Management for employees of the Center employed after August 14, 1991.

#### (c) Deductions and withholding from employee pay

The Center shall make such deductions and withholdings from the pay of an individual described under subsection (a) of this section who is an employee of the Center in accordance with subsection (d) of this section.

#### (d) Employee records; amount of deductions

The Center shall—

(1) maintain records on all employees covered under this section in such manner as the Secretary of the Senate may require for administrative purposes; and

(2) after consultation with the Secretary of the Senate—

(A) make deductions from the pay of employees of amounts determined in accordance with section 8906 of title 5; and

(B) transmit such deductions to the Secretary of the Senate for deposit and remit-

tance to the Office of Personnel Management.

#### (e) Government contributions

Government contributions for individuals receiving benefits under this section, as computed under section 8906 of title 5, shall be made by the Secretary of the Senate from the appropriations account, within the contingent fund of the Senate, “miscellaneous items”.

#### (f) Regulations

The Office of Personnel Management may prescribe regulations to carry out the provisions of this section.

(Pub. L. 102–90, title III, §311, Aug. 14, 1991, 105 Stat. 467.)

#### REFERENCES IN TEXT

For Senate Resolution 269, referred to in subsec. (a), see References in Text note set out under section 214b of this title.

#### CROSS REFERENCES

House of Representatives Child Care Center, see section 184g of this title.

### § 214d. Child care center employee benefits

#### (a) Election for coverage

The provisions of this section shall apply to any individual who—

(1)(A) on October 6, 1992, is employed by the Senate day care center (known as the “Senate Employee Child Care Center”) established pursuant to Senate Resolution 269, Ninety-eighth Congress, and section 214b of this title; and

(B) makes an election to be covered by this section with the Secretary of the Senate, no later than 60 days after October 6, 1992; or

(2) is hired by the Center after October 6, 1992, and makes an election to be covered by this section with the Secretary of the Senate, no later than 60 days after the date such individual begins employment.

#### (b) Payment of deposit; payroll deduction

(1) Any individual described under subsection (a) of this section may be credited,<sup>1</sup> under section 8411 of title 5 for service as an employee of the Senate day care center before January 1, 1993, if such employee makes a payment of the deposit under section 8411(f)(2) of such title without application of the provisions of section 8411(b)(3) of such title.

(2) An individual described under subsection (a) of this section shall be credited under section 8411 of title 5 for any service as an employee of the Senate day care center on or after October 6, 1992, if such employee has such amounts deducted and withheld from his pay as determined by the Office of Personnel Management (in accordance with regulations prescribed by such Office subject to subsection (h) of this section) which would be deducted and withheld from the basic pay of an employee under section 8422 of title 5.

#### (c) Survivor annuities and disability benefits

Notwithstanding any other provision of this section, any service performed by an individual

<sup>1</sup> So in original. The comma probably should not appear.